



# PUBLIC NOTICE

**Federal Communications Commission**  
**445 12<sup>th</sup> St., S.W.**  
**Washington, D.C. 20554**

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**DA 14-1271**  
**Released: September 2, 2014**

**COMMENTS INVITED ON APPLICATION OF GTE SOUTHWEST INCORPORATED D/B/A VERIZON SOUTHWEST; VERIZON CALIFORNIA INC.; VERIZON MARYLAND LLC; VERIZON NEW ENGLAND INC.; VERIZON NEW YORK INC.; VERIZON NORTH LLC; VERIZON PENNSYLVANIA LLC; VERIZON VIRGINIA LLC AND VERIZON WASHINGTON, DC INC. TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES**

**WC Docket No. 14-135**  
**Comp. Pol. File No. 1164**

**Comments Due: October 2, 2014**

**Section 214 Application**

**Applicants: GTE Southwest Incorporated d/b/a Verizon Southwest; Verizon California Inc.; Verizon Maryland LLC; Verizon New England Inc.; Verizon New York Inc.; Verizon North LLC; Verizon Pennsylvania LLC; Verizon Virginia LLC and Verizon Washington, DC Inc.**

On August 1, 2014, **GTE Southwest Incorporated d/b/a Verizon Southwest**, located at **600 Hidden Ridge, Irving, TX 75038**; **Verizon California Inc.**, located at **2535 W. Hillcrest Drive, CAM21LB, Newbury Park, CA 91320**; **Verizon Maryland LLC**, located at **1 East Pratt Street, Baltimore, MD 21202**; **Verizon New England Inc.**, located at **125 High Street – Oliver Tower 7th Floor, Boston, MA 02110**; **Verizon New York Inc.**, located at **140 West Street, New York, NY 10007**; **Verizon North LLC** and **Verizon Pennsylvania LLC**, located at **1717 Arch Street, Philadelphia, PA 19103**; **Verizon Virginia LLC**, located at **22001 Loudoun County Parkway, Ashburn, VA 20147**; and **Verizon Washington, DC Inc.**, located at **1300 I Street, N.W., Suite 400 West, Washington, D.C. 20005** (collectively Verizon or Applicants), filed a joint application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue certain domestic telecommunications services within Verizon's service territory in California, Connecticut, Maryland, Massachusetts, New York, Pennsylvania, Rhode Island, Texas, Virginia and the District of Columbia (collectively Service Areas).<sup>1</sup>

The application indicates that Verizon currently offers Metallic Service and Program Audio Service (collectively, Affected Services) to approximately 125 customers (Affected Customers) who did not receive the customer notification associated with a prior application that Verizon filed on September 16, 2013

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<sup>1</sup> See Letter from Frederick Moacdieh, Executive Director – Federal Regulatory Affairs, Verizon, to Marlene H. Dortch, Secretary, Federal Communications Commission, Attach., WC Docket No. 14-135 (filed Aug. 1, 2014) (Application or Verizon August 1, 2014 Application).

to discontinue these same services.<sup>2</sup> According to Verizon, the Affected Customers that still receive its Metallic Service are located in Virginia and the District of Columbia and the Affected Customers that still receive its Program Audio Service are located in California, Connecticut, Maryland, Massachusetts, New York, Pennsylvania, Rhode Island, Texas and Virginia.<sup>3</sup> Verizon explains that its Metallic Service uses a metallic channel to transmit signals at low speeds up to 30 baud and that its Program Audio Service provides an analog channel for the one-way transmission of a complex signal voltage with the option for customers to choose a bandwidth tier of 50 to 15000 Hz, 200 to 3500 Hz, 100 to 5000 Hz, or 50 to 8000 Hz.<sup>4</sup> Verizon asserts, however, that these services have been supplanted by newer technologies and services.

Verizon seeks authority to grandfather and eventually discontinue the Affected Services in the Service Areas on or after October 31, 2014. Specifically, Verizon states that, on or after October 31, 2014 and subject to Commission authorization and the terms and conditions of applicable tariffs and contracts, it plans to no longer accept new orders for the Affected Services in the Service Areas, including requests for moves, adds, or changes to existing services. According to Verizon, Affected Customers that are subscribed to any of the Affected Services when they are grandfathered will be able to keep those services until they choose to cancel or Verizon terminates the Affected Service(s) on or after December 31, 2014.<sup>5</sup> Verizon maintains that the public convenience and necessity will not be impaired by the proposed discontinuance because customers can choose from many alternative services, including Private IP service, Ethernet services, and private-line services, that other providers and carriers affiliated with Verizon currently offer.<sup>6</sup> Verizon asserts that, on or before July 31, 2014, it sent notice of the proposed discontinuance to customers that currently subscribe to the Affected Services by first class U.S. mail.<sup>7</sup> The application indicates that Verizon is considered dominant with respect to the services to be discontinued.<sup>8</sup>

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<sup>2</sup> See Letter from Frederick Moacdieh, Executive Director – Federal Regulatory Affairs, Verizon, to Marlene H. Dortch, Secretary, Federal Communications Commission, Attach., WC Docket No. 13-260 (filed Sept. 16, 2013) (Verizon September 16, 2013 Application). The Verizon September 16, 2013 Application was automatically granted on January 6, 2014. See *Comments Invited On Application of GTE Southwest Incorporated d/b/a Verizon Southwest; Verizon California Inc.; Verizon Delaware LLC; Verizon Florida LLC; Verizon Maryland LLC; Verizon New England Inc.; Verizon New Jersey Inc.; Verizon New York Inc.; Verizon North LLC; Verizon Pennsylvania LLC; Verizon South Inc.; Verizon Virginia LLC and Verizon Washington, DC Inc. to Discontinue Domestic Telecommunications Services*, Public Notice, WC Docket No. 13-260, Comp. Pol. File No. 1124, DA 13-2134 (rel. Nov. 7, 2013). Subsequently, Applicants learned that approximately 125 additional customers did not receive notice in connection with the September 16, 2013 Application.

<sup>3</sup> Verizon August 1, 2014 Application at 4. Verizon clarifies that none of the Affected Customers receive the Telegraph Service that was subject to its prior application.

<sup>4</sup> Verizon August 1, 2014 Application at 4. Verizon indicates that Metallic Service is described in Verizon's FCC Tariff No. 1, Section 7.2.1. *Id.* Verizon states that its Program Audio Service is described in Verizon's FCC Tariff No. 1, Section 7.2.4; Verizon's FCC Tariff No. 11, Section 7.2.4 and Verizon's FCC Tariff No. 14, Section 5.2.3. *Id.*

<sup>5</sup> Verizon August 1, 2014 Application at 2-3.

<sup>6</sup> *Id.* at 4-5.

<sup>7</sup> *Id.* at 5.

<sup>8</sup> *Id.*

In accordance with section 63.71(c) of the Commission's rules, Verizon's application will be deemed to be granted automatically on the 60th day after the release date of this public notice, unless the Commission notifies Verizon that the grant will not be automatically effective. In the application and notices to customers, Verizon indicates that on or after October 31, 2014 and subject to Commission authorization, Verizon plans to grandfather the Affected Services by no longer accepting new orders for the Affected Services in the Service Areas, including requests for moves, adds, or changes to existing services. In addition, Verizon states that customers that are subscribed to any of the Affected Services when they are grandfathered will be able to keep the Affected Service(s) until the customer chooses to cancel or Verizon terminates the Affected Service(s) on or after December 31, 2014. Accordingly, pursuant to section 63.71(c) and the terms of Verizon's application and notices, absent further Commission action, Verizon may cease to accept new orders for the Affected Services in the Service Areas on or after **November 1, 2014**, in accordance with Verizon's filed representations. In addition, pursuant to section 63.71(c) and the terms of the application and notices, absent further Commission action, Verizon may discontinue the Affected Services in the Service Areas on or after December 31, 2014, in accordance with Verizon's filed representations. The Commission normally will authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

Comments objecting to this application must be filed with the Commission on or before **October 2, 2014**. Such comments should refer to **WC Docket No. 14-135 and Comp. Pol. File No. 1164**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998). Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>. Filers should follow the instructions provided on the Web site for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number.

Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. The filing hours are Monday through Friday, 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Two copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C140, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicants. Commenters are also requested to fax their comments to the FCC at (202) 418-1413, Attention: Carmell Weathers.

This proceeding is considered a “permit but disclose” proceeding for purposes of the Commission’s *ex parte* rules.<sup>9</sup> Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules.

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), [Carmell.Weathers@fcc.gov](mailto:Carmell.Weathers@fcc.gov), or Gregory Kwan, (202) 418-1191 (voice), [Gregory.Kwan@fcc.gov](mailto:Gregory.Kwan@fcc.gov), of the Competition Policy Division, Wireline Competition Bureau. The tty number is (202) 418-0484. For further information on procedures regarding section 214 please visit [http://www.fcc.gov/wcb/cpd/other\\_adjud](http://www.fcc.gov/wcb/cpd/other_adjud).

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<sup>9</sup> 47 C.F.R. §§ 1.1200 *et seq.*